

UCC sues state over gay marriage ban

by [Yonat Shimron](#) in the [May 28, 2014](#) issue

The United Church of Christ has sued the state of North Carolina over its constitutional ban on same-sex marriage, saying the 2012 amendment violates the religious freedom of its clergy.

The liberal denomination of nearly 1 million members is the first in the country to attack a same-sex marriage ban on religious freedom grounds, taking a cue from religious conservatives who used the same argument over the contraception mandate in the Affordable Care Act.

In 1972, the UCC was the first denomination in the United States to ordain an openly gay pastor, and in 2005 it was the first to endorse the fledgling movement to allow civil marriage for same-sex couples.

The suit, filed April 28, asks the federal courts in the Western District of North Carolina to strike down the ban, which was passed by state voters. It argues that the ban limits clergy choices and violates the principle of “free exercise of religion” by requiring clergy to minister to one segment of the public.

A dozen non-UCC clergy and same-sex couples joined the suit.

“By preventing our same-sex congregants from forming their own families, the North Carolina ban on same-sex marriage burdens my ability and the ability of my congregation to form a faith community of our choosing consistent with the principles of our faith,” said Nancy Petty, pastor of Pullen Memorial Baptist Church in Raleigh, who joined the lawsuit.

As part of the state ban, it is a class 1 misdemeanor for a minister to perform a marriage ceremony for a couple that has not obtained a civil marriage license. In addition, the law allows anyone to sue the minister who performs a marriage ceremony without a license. —RNS

*This article was edited May 13, 2014.*